

Exhibit A



From: Philip Wang pwang@raklaw.com
Subject: Re: Headwater v. Samsung Case No. 2:22-cv-422: Samsung Pretrial Disclosures
Date: May 31, 2024 at 3:56 PM
To: Benjamin K. Thompson BThompson@fr.com, [SERVICE FR] Samsung-Headwater SERVICEFRSamsung-Headwater@fr.com, Charles Lewis Ainsworth charley@pbatyler.com, rcbunt@pbatyler.com, dattaway@pbatyler.com, melissa@gillamsmithlaw.com, tom@gillamsmithlaw.com, Angela Castagnola castagnola@fr.com
Cc: Jason Wietholter jwietholter@raklaw.com, rak_headwater@raklaw.com

Ben,

Your email below asks Headwater to narrow accused features in its infringement case to streamline trial.

Along those lines, and to narrow the issues the Court and jury have to decide, Headwater will drop the sleep and deep sleeping features from its infringement case.

Therefore, Samsung's motion (Dkt. 235) regarding those features is moot.

Thanks,

Philip

Philip Wang
Russ August & Kabat
12424 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90025
310 826-7474
pwang@raklaw.com

On May 31, 2024, at 7:28 AM, Benjamin K. Thompson <BThompson@fr.com> wrote:

Counsel –

We disagree with your characterizations of Samsung's exhibit list. By way of example, I do not believe there are any expert reports on Samsung's exhibit list. If there are, we'll remove them. We are currently reviewing our list and will endeavor to reduce the number of exhibits. That reduction likely will not happen by your requested deadline. Headwater had Samsung's exhibit list for nearly a week before raising any issues, and requesting that we revise our exhibit list by the following day is not reasonable.

We also note that the current volume of Samsung's exhibits is the direct result of Headwater's over-inflated case, where it continues to maintain allegations under eight asserted patents targeting many disparate accused features, while Headwater surely already knows patents it will not assert and features it will not accuse at trial. It would help Samsung to be able to further reduce the number of exhibits if Headwater would disclose the patents/features it knows it will not be asserting at trial. Will Headwater commit to remove any patents/features from the case at this time?

Thanks,

Ben

From: Jason Wietholter <jwietholter@raklaw.com>
Sent: Thursday, May 30, 2024 10:59 AM
To: [SERVICE FR] Samsung-Headwater <SERVICEFRSamsung-Headwater@fr.com>
Cc: rak_headwater@raklaw.com; Charles Lewis Ainsworth <charley@pbatyler.com>; rcbunt@pbatyler.com; dattaway@pbatyler.com; melissa@gillamsmithlaw.com; tom@gillamsmithlaw.com; Angela Castagnola <castagnola@fr.com>
Subject: Re: ***UNCHECKED*** Headwater v. Samsung Case No. 2:22-cv-422: Samsung Pretrial Disclosures

[This email originated outside of F&R.]

Counsel,

Samsung's identification of 1,745 exhibits in its exhibit list is unreasonable. Samsung's exhibits include a number of inadmissible types of exhibits (e.g., expert reports, declarations, IPR filings, prior art devices Samsung has dropped, etc.) and far exceeds the Court's Standing Order on the Number and Use of Pre-Admitted Exhibits in Civil Cases. It is unreasonable for Samsung to identify 1,700+ exhibits that Headwater must review and object to by June 4. Please provide a narrowed version of Samsung's exhibit list identifying a reasonable number of exhibits by tomorrow at 3PM PT.

Regards,

Jason Wietholter

Russ, August & Kabat

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On May 24, 2024, at 9:55 PM, Angela Castagnola <castagnola@fr.com> wrote:

Counsel, attached please find the following:

- SAMSUNG'S DEPOSITION DESIGNATIONS, along with the word version
- SAMSUNG'S TRIAL EXHIBIT LIST, along with the excel version
- SAMSUNG'S WITNESS LIST

Corresponding trial exhibits have been placed on our secure FTP. Login credentials are noted below, and downloading instructions have

been attached.

Username: Samsung-Headwater_SERVICE
Password: 0bK1d@dA7t1#

The zip files have been encrypted and a password will be sent under separate cover.

Angela Castagnola

Senior Litigation Case Manager ■ Fish & Richardson P.C.
T: 858 678 4786 | castagnola@fr.com

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*****<Fish and Richardson - FTP Instructions.pdf><2024-05-24 Samsung Pretrial Disclosures.zip>

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